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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SONOS, INC.,

*Plaintiff,*

v.

GOOGLE LLC,

*Defendant.*

Case No. 3:21-cv-7559-WHA

**SONOS, INC.'S RESPONSE TO THE  
COURT'S DEC. 14 REQUEST**

Judge: Hon. William Alsup  
Complaint Filed: September 29, 2020

Sonos provides this response to the Court's request for the following information:

(1) whether Sonos sent written cease-and-desist letters to Google regarding the patents-in-suit prior to Google's receipt of a pre-filing copy of Sonos's complaint that served to put Google on notice of infringement;

(2) whether Sonos sent Google any other written cease-and-desist letters regarding the allegedly infringing instrumentalities at issue here asserting other patents prior to the filing of Sonos's complaint.

Dkt. 127.

The patents-in-suit are U.S. Patent Nos:

- 9,967,615 ('615 Patent);
- 10,469,966 ('966 Patent);
- 10,779,033 ('033 Patent); and
- 10,848,885 ('885 Patent).<sup>1</sup>

**(1) Whether Sonos sent written cease-and-desist letters to Google regarding the patents-in-suit prior to Google's receipt of a pre-filing copy of Sonos's complaint that served to put Google on notice of infringement**

On February 22, 2019, Sonos sent Google a letter and, *inter alia*, a claim chart detailing Google's infringement of the '615 Patent via products accused in this case.

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<sup>1</sup> Sonos's second amended complaint also asserts U.S. Patent No. 9,344,206 ('206 Patent). Sonos has since withdrawn the asserted claims of the '206 Patent pursuant to this Court's Patent Showdown Order in related case 20-cv-6754. Thus, Sonos does not rely on notice of the '206 Patent for purposes of paragraph (1) of the Court's request. To the extent that Google is permitted to maintain its declaratory judgment action concerning the '206 Patent (over which Sonos contends the Court lacks subject matter jurisdiction given Sonos's withdrawal), Sonos reserves the right to raise willful infringement of the '206 Patent at an appropriate time.

**(2) Whether Sonos sent Google any other written cease-and-desist letters regarding the allegedly infringing instrumentalities at issue here asserting other patents prior to the filing of Sonos's complaint**

On October 13, 2016, Sonos sent Google a document identifying 22 issued Sonos patents and 6 allowed Sonos patent applications (including ones that share a common specification with the '615 Patent, the '966 Patent, '033 Patent, and '885 Patent) and identifying relevant Google products for each, including products accused in this case.

On January 31, 2018, Sonos sent Google a PowerPoint presentation identifying 16 issued Sonos patents and 1 allowed Sonos patent application (including ones that share a common specification with the '966 Patent and '885 Patent), and identifying relevant Google products for each, including products accused in this case.

On July 12, 2018, Sonos sent Google a document identifying 58 issued Sonos patents (including ones that share a common specification with the '615 Patent, the '966 Patent, '033 Patent, and '885 Patent) and identifying relevant Google products for each, including products accused in this case.

On February 22, 2019, Sonos sent Google a letter and 100 claim charts detailing Google's infringement of 92 issued Sonos patents and 8 allowed Sonos patent applications (including the '615 Patent and others that share a common specification with the '615 Patent, the '966 Patent, '033 Patent, and '885 Patent) via products accused in this case.

On June 13, 2019, Sonos sent Google a PowerPoint presentation (i) reiterating the 100 claim charts sent on February 22, 2019 detailing Google's infringement of the 92 issued Sonos patents and 8 allowed Sonos patent applications, and (ii) identifying 6 issued Sonos patents (including one that shares a common specification with the '966 Patent and '885 Patent) and identifying relevant Google products for each, including products accused in this case.

On January 6, 2020, Sonos sent Google a pre-filing copy of an International Trade Commission Complaint, a U.S. District Court complaint, and claim charts, each of which

1 detailed Google's infringement of 5 issued Sonos patents via products that are also accused in  
2 this case.<sup>2</sup>

3 Dated: December 16, 2021

ORRICK HERRINGTON & SUTCLIFFE LLP  
and  
LEE SULLIVAN SHEA & SMITH LLP

By: /s/ Alyssa M. Caridis

Alyssa M. Caridis

*Attorneys for Sonos, Inc.*

27 <sup>2</sup> Pursuant to the Court's prohibition on attachments or declarations, and for brevity's sake,  
28 Sonos has not attached copies of the forgoing material, but such copies can be filed or otherwise  
delivered to the Court as desired.